

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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	:	
IN RE BANK OF NEW YORK MELLON	:	
CORPORATION FOREIGN EXCHANGE	:	MDL No. : 12-md-02335 (LAK)
LITIGATION,	:	
_____	X	
	:	
BANK OF NEW YORK MELLON	:	
CORPORATION FALSE CLAIMS ACT	:	12 Civ. 08990 (LAK)
FOREIGN EXCHANGE LITIGATION,	:	
<i>Ex. Rel.</i> , FX ANALYTICS,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
BANK OF NEW YORK MELLON	:	
CORPORATION, <i>et al.</i> ,	:	
	:	
Defendants.	:	
_____	X	

NOTICE OF MOTION TO QUASH RULE 45 SUBPOENA

PLEASE TAKE NOTICE that Plaintiff Los Angeles County Employee Retirement Association (“LACERA”) and Third-Party June Kim, by and through their undersigned attorneys, moves this Court before the Honorable Lewis A. Kaplan of the United States District Court, Southern District of New York, 500 Pearl Street, Courtroom 21B, New York, NY 10007-1312, at a date and time to be determined by the Court, for an Order quashing the Bank of New York Mellon’s (“BNYM”) March 13, 2015 Rule 45 subpoena (originally served on February 12th) for deposition testimony of former LACERA employee, June Kim. The Rule 45 subpoena violates this Court’s Scheduling Order, as amended, and is contrary to the purposes of the parties’ stipulated stay on discovery so ordered by this Court. *See* ECF Nos. 273 (Original

Scheduling Order), 422 (Amended Scheduling Order), 560 (Stipulation and Order Staying and Extending Discovery); 564 (Stipulation and Order Further Staying and Extending Discovery).

This motion is based upon the Notice of Motion, the Memorandum of Law in Support of Motion to Quash BNYM's Rule 45 Subpoena, and such further filings and argument as the Court may permit.

Dated: March 16, 2015

COTCHETT, PITRE & McCARTHY, LLP

By: /s/Steven N. Williams

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